

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMBER EVANS,

Plaintiff,

v.

Case No. 08-CV-15223

OLSON POWER SPORTS, INC., et al.

Defendants.

**OPINION AND ORDER GRANTING PLAINTIFF'S "MOTION TO STRIKE ANSWER"
AND REQUIRING REPRESENTATION BY COUNSEL**

Before the court is Plaintiff's "Motion to Strike Answer to Complaint Filed by Non-Lawyer on Behalf of Defendant." Defendant Olson Power Sports, Inc. filed an answer on January 20, 2009. The answer was signed by Rich Olson, in an apparent attempt to proceed *pro se*.¹

Ordinarily, parties are permitted to proceed either personally or by counsel. "It has been the law for the better part of two centuries[, however,] . . . that a corporation may appear in federal courts only through licensed counsel." *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 201-02 (1993) (dictum) (citing *Osborn v. President of the Bank of United States*, 9 Wheat. 738, 829 (1824)). Thus, a corporation cannot properly be "represented" in court by its owners, officers or anyone else who is not an attorney admitted to practice.² See 28 U.S.C. § 1654; *Doherty v. Am. Motors Corp.*, 728 F.2d

¹ As Plaintiff notes, Rich Olson does not identify himself as an attorney, nor does he include his "P-Number," indicating his state registration as an attorney.

² In order to practice law before the bench of the Eastern District of Michigan, an attorney must be admitted to the district. See E.D. Mich. LR 83.20. "Practice" includes signing a paper. E.D. Mich. LR 83.20(a)(1). *Pro hac vice* admission is not recognized

334, 340 (6th Cir. 1984) ("The rule of this circuit is that a corporation cannot appear in federal court except through an attorney."); *Ginger v. Cohn*, 426 F.2d 1385, 1386 (6th Cir. 1970) ("An officer of a corporation, who is not a licensed attorney, is not authorized to make an appearance in this Court on behalf of the corporation."); *United States v. 9.19 Acres of Land, More or Less, Situate in Marquette County, Mich.*, 416 F.2d 1244, 1245 (6th Cir. 1969) ("The United States District Court was clearly correct in ruling that a corporate president may not represent his corporation before a federal court.").

Accordingly, IT IS ORDERED that Plaintiff's "Motion to Strike Answer to Complaint Filed by Non-Lawyer on Behalf of Defendant" [Dkt. # 9] is GRANTED, and Defendant Olson Power Sports, Inc's January 20, 2009 "Answer to Complaint and Reliance upon Jury Demand", [Dkt. # 8], is STRICKEN from the record.

IT IS FURTHER ORDERED that Defendant Olson Power Sports, Inc. shall, on or before **March 12, 2009**, obtain counsel and have counsel file an appearance with the court. Defendant Olson Power Sports, Inc. is cautioned that failure to cause such an appearance on or before **March 12, 2009**, could result in a default judgment being entered against it.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 11, 2009

by this district. E.D. Mich. LR 83.20(c)(1).

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 11, 2009, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522